

ordinary foods. (3) In that statements in the labeling regarding the efficacy of vitamins and minerals to promote healthy hair and skin; prevent night blindness; build resistance to colds, coughs, sinus; promote growth, healthy nerves, appetite, digestion, and muscular activity; minimize effects of alcohol; prevent certain skin disorders; heal lesions of lips at angles of mouth and of eyes and nose; promote growth and healing of wounds; prevent anemia, hemorrhage, pyorrhea, tuberculosis, and scurvy; form bones and teeth; prevent rickets; cure certain muscular and nerve diseases; restore color to gray hair; produce red corpuscles; produce hemoglobin; promote normal growth of body cells; influence muscle activity, digestion, and nerves; promote reproduction and growth; prevent goiter; aid heart, blood clotting, and brain cells; promote healthy bones and blood; and promote fertility, were misleading since alone or in connection with each other, they created the impression in the mind of the reader that it was an effective treatment for the symptoms and diseases mentioned and described; whereas it was not an effective treatment for such conditions.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in Notices of Judgment on Foods.

On June 22, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

787. Misbranding of Vita-Port Vitamin B₁ Tonic. U. S. v. 141 Bottles of Vita-Port Vitamin B₁ Tonic. Default decree of condemnation and destruction. (F. D. C. No. 7539. Sample No. 87177-E.)

On May 20, 1942, the United States attorney for the District of Columbia filed a libel against 141 bottles of Vita-Port Vitamin B₁ Tonic at Washington, D. C., alleging that the article was being offered for sale in the District of Columbia at the Super Cut Rate Drugs, Washington, D. C.; and charging that it was misbranded. The article was labeled in part: "Each fluid ounce contains thiamine hydrochloride (Vitamin B₁) . . . 4 mg. (Equivalent to 1330 International Units) Alcohol 20 Per cent."

It was alleged to be misbranded in that the following statements in the labeling, "Here's Health! * * * Recommended for Underweight—Loss of Appetite Nervousness," were false and misleading since it would not be an effective treatment for such conditions.

It was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 3841.

On June 26, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

788. Misbranding of wheat embryo. U. S. v. 34 Cans of Wheat Embryo. Default decree of condemnation and destruction. (F. D. C. No. 6807. Sample No. 76077-E.)

On February 6, 1942, the United States attorney for the District of Minnesota filed a libel against 34 cans of wheat embryo at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about February 27, 1941, by Freshman Vitamin Co. from Detroit, Mich.; and charging that it was misbranded. It was labeled in part: "Dr. Ray Wheat Embryo."

It was alleged to be misbranded in that the statement on the label, "When indicated in Gastro-Intestinal Disorders, Dr. Ray Wheat Embryo should be cooked in with cereal for five minutes," was false and misleading in that it would imply that the article was of significant value in the treatment of all types of gastrointestinal disturbances; whereas it was not.

The article was also charged to be misbranded under the provisions of the law applicable to drugs, as reported in F. N. J. No. 3842.

On June 15, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

789. Misbranding of Wise's Kollesol Tablets. U. S. v. 45 Bottles of Wise's Kollesol Tablets. Default decree of condemnation and destruction. (F. D. C. No. 7126. Sample No. 92501-E.)

On April 1, 1942, the United States attorney for the Southern District of California filed a libel against 45 bottles, each containing 300 tablets, of Wise's Kollesol at Los Angeles, Calif., alleging that the article had been shipped on or about January 22, 1942, by Wise's K. C. Homeopathic Pharmacy from Kansas City, Mo.; and charging that it was misbranded.

Analysis of a sample of the article showed that it consisted essentially of oxyquinoline sulfate, potassium sulfate, and lactose.

It was alleged to be misbranded in that representations in the labeling that it would eliminate bacteria, guard against toxins and ptomaines, promote healing, provide healthy granulation with a minimum of scar tissue, keep lesions from becoming infected, and control hemorrhage; that it would prevent diphtheria and other infections, both external and internal; that it would be useful in surgery, obstetrics, and gynecology as an all purpose antiseptic, would be useful for sterilizing instruments, for intrauterine use after removal of retained placental tissue, postpartum infection, or after curettage; that it was an adequate medication in dentistry for toothache, pyorrhea, trench mouth, gingivitis, bad teeth, and ulcerations of the buccal cavity; that it was an appropriate treatment for diseases of the eye, ear, nose, and throat including tonsillitis, septic sore throat and diphtheria; for conditions of the gastro-intestinal tract such as stomach ulcers, colitis, diarrhea, dysentery, typhoid fever, amoebic dysentery; conditions of the genito-urinary tract such as cystitis, balanitis, gonorrhea, chancroid, and syphilitic lesions; and for skin conditions including varicose ulcers, carbuncles, boils, burns, scalds, erysipelas, and athlete's foot, were false and misleading since it would not be efficacious for such purposes.

On April 22, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

DRUGS FOR VETERINARY USE

790. Misbranding of Security Roup and Cold Remedy for Poultry, Security Worm Powder, and Security Gas Colic Remedy. U. S. v. The Jersee Co., Inc. (Security Food Co.) and Fred J. McCann. Pleas of guilty. Fine, \$250. (F. D. C. No. 6425. Sample Nos. 43195-E, 43196-E, 49858-E, 57552-E.)

The labeling of these veterinary products bore false and misleading representations regarding their curative and therapeutic efficacy and also failed to comply with certain other labeling requirements of the law.

On May 18, 1942, the United States attorney for the District of Minnesota filed an information against the Jersee Co., Inc., doing business as the Security Food Co. at Minneapolis, Minn., and Fred J. McCann, president of Jersee Co., Inc., alleging shipment on or about February 22, March 17, and July 28, 1941, from the State of Minnesota into the States of Nebraska, Illinois, and Mississippi of quantities of the above-named drugs which were misbranded.

Analysis of a sample of Security Roup and Cold Remedy for Poultry showed that it consisted essentially of copper sulfate, potassium permanganate, and talc. It was alleged to be misbranded in that statements in the labeling which represented that when used in conjunction with certain specified procedures and certain sanitary measures, it would be efficacious in the treatment of roup and cold in fowl and poultry, that it would prevent fowl and poultry from contracting cold and roup, and that another drug, Security Cholera Remedy, would be efficacious in the treatment or prevention of bowel troubles in fowl and poultry, were false and misleading since the articles would not be efficacious for such purposes. It was alleged to be misbranded further in that the label failed to bear a statement of the quantity of the contents in terms of weight, measure, or numerical count and in that it was fabricated from two or more ingredients and the label failed to bear the common or usual name of each active ingredient.

Analysis of the Security Cholera Remedy showed that it consisted essentially of potassium alum, ferrous sulfate, and talc. It was alleged to be misbranded in that statements in the labeling which represented that it would be efficacious as a remedy for cholera in poultry; that it was a positive and quick relief for cholera, indigestion, dysentery, diarrhea, and all bowel troubles in poultry including chicks 1 or 2 months old and fowl over 2 months old; that it was a preventive against bowel irregularities in chicks and fowl; that when used in conjunction with certain specified procedures and certain sanitary measures it would be efficacious in the treatment of the said disease in fowl and poultry and that the use of another drug, Security Roup and Cold Remedy, would be efficacious in the treatment of roup and cold in fowl and poultry, were false and misleading since the articles would not be efficacious for such purposes. It was alleged to be misbranded further in that the labeling failed to bear a statement of the quantity of the contents in terms of weight, measure, or numerical count and in that it was fabricated from two or more ingredients and the label failed to bear the common or usual name of each active ingredient.

Analysis of the Security Worm Powder showed that it consisted essentially of sodium chloride, iron sulfate, sulfur, charcoal, and plant material including anise and areca nut. It was alleged to be misbranded in that statements in the labeling which represented that it was the safest and surest remedy in existence